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Attorneys for Debtor

UNITED STATES BANKRUPTCY COURT

EASTERN DISTRICT OF CALIFORNIA, FRESNO DIVISION

In re:

LJB FARMS, LLC.,

Debtor.

Case No. 17 -12998-B-12

Chapter 12

DC No. KDG-4

Date: October 25, 2017

Time: 9:30 A.M.

Place: United States Bankruptcy Court
 2500 Tulare Street, Fifth Floor
 Department B, Courtroom 13
 Fresno, California

Judge: Honorable René Lastreto II

**FIRST INTERIM APPLICATION FOR ALLOWANCE OF ATTORNEYS'
 FEES AND COSTS FILED BY KLEIN, DENATALE, GOLDNER,
 COOPER, ROSENLIB & KIMBALL, LLP AND DEBTOR-IN-POSSESSION'S
STATEMENT OF NON-OBJECTION TO FEES AND COSTS
 (\$17,418.00 in fees and \$417.14 in costs)**

- 1) Name of applicant: **Klein, DeNatale, Goldner, Cooper, Rosenlieb, & Kimball, LLP**
- 2) Type of services rendered: **Legal Services**
 - a. ☒ Attorneys for: **LJB FARMS LLC., Debtor ("Debtor")**
 - b. ☐ Accountant for:
 - c. ☐ Other professional:
- 3) Date of filing of petition under Chapter 11 of the Bankruptcy Code: **August 3, 2017, 2017**
- 4) Date of entry of order approving applicant's employment: **September 1, 2017**
- 5) Date of filing of last fee and/or expense application: **None.**

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 BAKERSFIELD, CALIFORNIA 93309

6) Total fees allowed or paid to applicant to date (including retainers and prior approved fee applications):

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|----|--|--------------------|
| a. | Retainer received: | \$20,000.00 |
| b. | Total amount paid from retainer prior to commencement of case: | \$ 7,805.00 |
| c. | Additional amounts paid by Debtor after commencement of case deposited in trust account: | \$ 0.00 |
| d. | Retainer and other amounts remaining in trust as of the date of the application: | \$12,182.50 |
| e. | Total amount requested in all prior applications: | None. |
| f. | Total amount actually paid pursuant to prior approved applications: | None. |
| g. | Total amount due but unpaid pursuant to prior approved applications: | None. |
| h. | Total amount allowed but reserved pending final fee application: | None. |

I. Summary Of Legal Fees

7) Applicant submits Exhibit "A" included with the *Exhibits in Support of First Interim Application for Fees and Expenses by Klein, DeNatale, Goldner, Cooper, Rosenlieb & Kimball, LLP*, detailing the nature of the services rendered in support of this application.

8) Applicant's [X] chronological list of services [X] list of services sorted by task code is attached to the Exhibits as Exhibit "A."

9) Time period covered by this application: **August 3, 2017 through September 19, 2017.**

10) Summary of requested fees:

a. by timekeeper:

	Timekeeper	Admitted	Time	Rate	Value
HTB	Hagop T. Bedoyan	1987	5.50	\$400.00	\$2,200.00
HTB	Hagop T. Bedoyan		1.60	\$0.00	\$0.00
JLE	Jacob L. Eaton	2006	20.20	\$315.00	\$6,363.00
JLE	Jacob L. Eaton		11.10	\$350.00	\$3,885.00
JLE	Jacob L. Eaton		8.60	\$0.00	\$0.00
KAC	Karen Clemans, CBA* (Paralegal)		9.80	\$150.00	\$1,470.00
KAC	Karen Clemans, CBA* (Paralegal)		20.00	\$175.00	\$3,500.00
KAC	Karen Clemans		7.90	\$0.00	\$0.00
	Total		84.70		\$17,418.00
	Blended Rate			\$205.64	

*Certified Bankruptcy Assistant

b. by task code:

Task	Code	Time	Value
Case Administration	B110	28.10	\$4,839.00
Asset Analysis and Recovery	B120	0.80	\$280.00
Asset Disposition	B130	0.00	\$0.00
Relief from Stay Motions/Adequate Protection	B140	0.00	\$0.00
Mtgs of and communications with creditors	B150	3.70	\$1,200.00

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1	Fee/employment applications	B160	4.10	\$739.50
2	Assumption/Rejection of Leases and Contracts	B185	0.00	\$0.00
3	Other Contested Matters	B190	0.00	\$0.00
4	Non-working Travel (Billed at Half Rate)	B195	0.00	\$0.00
5	Business Operations	B210	0.00	\$0.00
6	Financing/Cash Collateral Issues	B230	33.70	\$8,098.50
7	Tax Issues	B240	0.00	\$0.00
8	Claims administration and objections	B310	3.90	\$476.00
9	Plan and Disclosure Statement	B320	10.40	\$1,785.00
10	Bankruptcy Litigation	B500	0.00	\$0.00
11	Total		84.70	\$17,418.00

11) **TOTAL FEES REQUESTED THIS APPLICATION: \$17,418.00**

12) **II. Reimbursement of Costs**

12) Total expenses paid to applicant to date (including retainers and prior approved expenses applications): **\$0**

13) Summary of Requested Expenses:

UCC Search Fees	\$37.50
Recording Fees	\$206.60
Certified Copies	\$28.00
Postage	\$31.64
Photocopies	\$113.40
TOTAL	\$417.14

14) **TOTAL EXPENSES REQUESTED THIS APPLICATION: \$417.14**

15) Applicant's statement for fees and costs has been provided to the authorized representative for the debtor-in-possession for review prior to filing this application. Applicant and debtor-in-possession have resolved debtor's questions regarding these fees (if any).

16) **III. Authorities**

16) KDG's application is based on this *First Interim Application for Fees and Expenses* by Klein, DeNatale, Goldner, Cooper, Rosenlieb & Kimball, LLP (the "Application"), the Debtor-in-Possession's Statement, the Declaration of Hagop T. Bedoyan, and the Exhibits in support of the Application.

17) Section 330(a) authorizes "reasonable compensation for actual, necessary services" rendered by a professional person employed under § 327 and for "reimbursement for actual, necessary expenses." 11 U.S.C. § 330(a).

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1 18) Reasonable compensation is determined by considering all relevant factors. *See id.* §
2 330(a)(3). In determining what is reasonable, the court considers a number of factors listed in §
3 330(a)(3) including: time spent, the rates charged for such services, whether the services were
4 necessary or beneficial when rendered, whether the services were performed within a
5 reasonable time, demonstrated skill and experience of the professional, and whether the
6 compensation is reasonable based on the customary compensation charged by comparably
7 skilled practitioners in nonbankruptcy cases. 11 U.S.C. § 330(a)(3)(A)–(F).

8 19) One way to determine reasonable compensation is by calculating the lodestar by
9 multiplying the number of hours worked (time spent) by a reasonable hourly rate (rate
10 charged). *In re Eliapo*, 468 F.3d 592, 598 (9th Cir. 2006).

11 20) Courts may also consider the size and complexity of the project undertaken. *In re*
12 *Wheeler*, 439 B.R. 107, 111 (Bankr. E. D. Mich. 2010) (noting complexity of the case a proper
13 factor for consideration in compensation motions.

14 **IV. Prayer**

15 21) Debtor seeks allowance of KDG's fees and costs as described herein on an interim
16 basis. Debtor seeks authorization for KDG to draw down on its retainer balance in the amount
17 of \$12,182.50 as partial payment of the fees and costs and that Debtor be authorized to make
18 payment of \$5,652.64 as payment in full of the balance of fees and costs.

19
20 Executed: September 27, 2017

KLEIN, DENATALE, GOLDNER,
COOPER, ROSENLIB & KIMBALL, LLP

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22 By /s/ Hagop T. Bedoyan
23 Hagop T. Bedoyan
24 Attorneys for Debtor
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I declare under penalty of perjury that the foregoing is true and correct. Executed this 27 day of September, at Chowchilla, California.

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